

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CIVIL ACTION No. 12-2193
	:	
v.	:	CRIMINAL ACTION No. 08-730
	:	
EARL MOORE	:	

ORDER

AND NOW, this 16th day of July, 2013, upon consideration of Defendant Earl Moore's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255, the Government's Motion to Dismiss, and Moore's reply thereto, it is ORDERED the motion (Document 92) is DENIED.

It is further ORDERED the Government's Motion to Dismiss (Document 101) on the merits, which this Court construes as a response, is DENIED as moot.

It is further ORDERED Moore's Motion to Amend his § 2255 motion (Document 102) is DENIED as futile.

Moore having failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability will not be issued.

The Clerk of Court is DIRECTED to mark both of the above-captioned cases CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez